~~Confidential.~~

Collection No. 70.

~~VOL. II.~~

General and Revenue
Secretariat.

Council Section.

CB. 276-19 Sls 1-18.

B Sept. 1920

SUBJECT. Personal file of Mr. K. T. Shah, Prof. of Commerce, Maharaja's College, Mysore.

PREVIOUS REFERENCES.

Edu. 8-17 Sls 9, 49, 50, 55, 56, 75 & 86
Edu. 433-19 Sls 1-3.

LATER REFERENCES.

CB. 138-20-1109 (Confdl)
CS 87-XX-1 (Confdl)

WD189—GPB—500—25-8-19

G. R. S. III—1] 1919.20.

GENERAL AND REVENUE SECRETARIAT.

(C. B.)

NOTES.

File No. 276-19

FILE HEADING.

Personal file of Mr. K.T. Shah, Professor of Commerce, Maharaja's College, Mysore

From

No.	Dated	Received
Diary No.	Enclos. Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

G. R. S. III—1] 1919.20.

GENERAL AND REVENUE SECRETARIAT.

(C. B.)

NOTES.

File No. 276 - 19

FILE HEADING.

Personal file of Mr. K.T. Shah, Professor of Commerce, Maharaja's College, Mysore

From

No.	Dated	Received
Diary No.	Enclos. / Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

G. R. S. 12]

3.

General and Revenue Secretariat. | C. B. File No. 276 of 1919-20

Serial No.

2. b To The Registrar, Mysore University

~~D.O.~~ Letter No. 12 dated 5th July 1920.

Forwards copy of sl 1, requests him to inform Mr. Shah that no action can be taken on his communication and that it may be sent up through the usual official channel, with the opinion of the University Council, and states that Govt. are not prepared to accept his resignation and to relieve him from his engagement to serve for 7 years.

NOTE—Contn. sheet.

GPI—70,000—17-12-15

G. R. S. III—1] 1920.

80

4

GENERAL AND REVENUE SECRETARIAT.

(~~Govt~~ CB

NOTES.

File No. ~~27~~ 70

FILE HEADING.

Resignation of Mr Shah Profr of Commerce.

From.

The Registrar, Muzaffarpur

No. 135 Dated 2.7.20. Received 5.7.20.

Diary No. 80.	Enclos. 1	Spare Copies.	Serial No. (.

BRIEF ABSTRACT OF LETTER.

Forwards for information a copy of a telegram of 28.6.20 received from Shah, tendering his resignation for the post of Profr of Commerce held by him.

NOTES AND ORDERS.

The Regr promises to send up a detailed report after ~~the~~ ~~letter~~ ~~reference~~ Mr Shah tenders his resignation in writing.

Submitted for orders.

BH
6.7.20. WD 6/7

Secy I & A.

WD
7/7

NOTES—First Sheet.

Mr The Regr has already been asked to send up the case with the opinion of the U.C & to express whether the resignation cannot be withdrawn. The

J. R. S. III-2]

General and Revenue Secretariat.

CB

G.O. 5

File No. 27 of 1921.

Regd. allow this to be marked to the communication side for the Imperial Branch. This letter will have been submitted & the file is the day on which it was received

7/2/21

9) Draft before A.S. to-day.

7/7

Subd with a draft to

7/7

Issued

8/7

11) Letter no 228 of 9.7.20 to the Regd Mysore inviting reference to letter no 12 C.B. 276-19-2 of 5.7.1920 requesting him to inform Mr Shah that his resignation cannot be accepted and to send up the case with the Opinion of the H. C. Letter no 674 of 14.7.1920 from the above forwarding a copy of letter from Mr Shah praying for relief as soon as

Letter No. 12 C.B. 276-19-2 Dated 5th July 1920.

NOTE—Contn. sheet.

Serial No.

possible, not later than the 1st of August and adding that the matter will be placed before the H. C. this week and the result reported to Govt

12) Filed for orders

Bk 15.7.20. WD 15/7

13) Recd 15/7.

Secy R & A.

14) From the Regr. dated 14.7.20.

15) Forwards Mr. Shah's letter, requesting relief by 1/8/20.

From Mr K.T. Shah- Letter dt 15/7/20 -

Requests that he may be relieved on or before 1st Aug '20 States that he will be close to work from 31st July if he is not so relieved —

16) If he goes away I suppose we shall have to issue a formal order dismissing him.

17) As regard his statement that he worked a formal Agreement this is not borne out by the records. I remember his writing to me about the need for an Agreement. I do not know what the practice at that time was. I have not been able to trace the correspondence as I believe it

General and Revenue Secretariat.

CB File No. 76 of 1919 7

Serial No.

C

has come a boy of the nature of a personal communication: in his letter of the 17th March to the Rajah he says that he ought to make clear certain main points touching the nature of any powers which he may have obtained in the letter. He could not therefore have referred to any really fundamental points. I may also state that at the time he was kindly in a position to make a bargain. His means from all sources in Bombay at that time were about Rs 500 a his eyesight is I believe so defective that it stands in the way of his getting a permanent office. One upon was therefore to formulate for him to think of any bargaining at the time.

18) The first time that he raised any question about his position was in Feb last. That was when he did not get a house. The V.C having told him that the matter would be between him and himself he acquiesced but a few days afterwards as a feeler he seems to have written his letter of the 16th last

C

in which he has not made any direct reference to his appointment as an independent Principal

NOTE—Contn. sheet.

Serial No.

had pleaded for full freedom to develop the course. When he discussed the matter with me he gave me to understand that if he was given a place in the University Council and allowed to adjust his time-table suitable arrangements he would be satisfied. I believe this can also what he gave the Vice Chancellor to understand. When he found that he had not all that he demanded he brought forward the subterfuge that a question of principle was involved and that he could not continue as he had not been made a Principal. In his dealings with us here he has not been straightforward with candour and I do not think he should have adopted the present attitude and disowned so many pledges in breaking his engagement if he had not found more lucrative employment elsewhere

for
17/7/20

Chancellor

Sir

19) The main behaviour is not reliable straight. The decision seems short of dismissal

for
19.7

20) I entirely agree

20.7.20

for

NOTE—Contn. sheet.

General and Revenue Secretariat. | CB File No. 276 of 19/8.

Serial No.

21) From the Secy. Mysore Govt. No 898-8 18/7/20 - States that the Govt Council are of opinion that there is no alternative but to accept Govt Bahadur's resignation —

22) With D.F.N

23) 24/7/20

24) D.F.N submitted

27/7

3)

(10

Final Note by the First Member of Council.

Subject:— *Resignation of Mr. Shah, Professor of Commerce.*

Mr. Shah agreed to take up the Professorship of Commerce on certain terms which are given in detail in his letter dated the 27th September 1917. He agreed to certain modifications therein in his letter dated the 2nd October 1917. He was appointed Professor generally on these terms. No formal agreement was taken from him as the practice since introduced at my instance in the case of temporary employees of taking agreements was not in force at the time.

Last February wher the newly constructed quarters were being allotted, he seems to have complained to the Vice-Chancellor that a distinction was being made between him and the permanent Professors of the University and urged his right to be provided with quarters though his engagement was temporary. The Vice-Chancellor having explained to him the grounds on which he had distributed the quarters, he seems to have acquieced but soon afterwards made his grievance the basis for demanding certain concessions for himself the essence of which was that he should be given full freedom in developing the Commerce courses and relieved from all ordinary interference from the Principal.

His letter was considered in Council who recommended that he may be given a place in the University Council and allowed as much latitude as possible in regard to admissions, promotions, time-table, etc. His Highness was pleased to approve of these proposals.

Mr. Shah thereupon tendered his resignation saying that the

principles he had raised were not satisfactorily settled and that he could not continue to serve as Professor under the circumstances.

In his letter dated the 2nd October 1917, he has stated as follows;on the question of his being given the status of a Principal:-

"As regards clause (e) I should have thought it would not have been considered an unreasonable demand that I should be given the preference for the Principalship of the Commercial College if and when established. However, even here, I am willing to concede the point, trusting that my proved merit shall obtain me spontaneously the post for which your Government does not wish to be tied down in advance at the present moment".

It is therefore clear that at the time Mr.Shah accepted the engagement, he not only agreed to work under the Principal of the Maharaja's College but even if a separate Principal was appointed for the Commerce Department, he was content to keep the second place if Government appointed another Principal.

When he interviewed me, I told him that it was not possible to make him an independent Principal but that every facility will be given to him to develop his courses. He was satisfied with the assurance. This assurance I gave on the strength of the Council resolution which was then pending orders of His Highness and Mr.Shah's attitude then did not indicate that unless he was made a Principal, he would quit service. But on going to Bombay where he has probably obtained more lucrative employment owing to the present industrial boom and finding that all his grievances had been more or less removed, he has endeavoured to find a pretext for breaking his engagement on the ground that a separate College of Commerce has not been established and he made a Principal. It appears to me that he had been

12

negotiating in Bombay during the vacation for another appointment and also took legal advice there on the question of his 7 years' agreement. His giving all the trouble now on the score of principle is nothing short of a trick to find some plausible excuse to be free to undertake some other work.

The University Council consider that his resignation may be accepted. I do not consider his behaviour at all straight and he deserves nothing short of dismissal. The Dewan also agrees with me. I understand that for leaving his appointment in Bombay he was similarly dismissed.

Mr. Shah has stated that he will cease to attend to his duties with effect from 1st August. He may be informed that Government cannot accept any such notice and permit him to resign and that in case he stops from work he will be dealt with under the regular departmental rules.

24th July 1920.

MEMBER OF COUNCIL.

17 7. 20.

(13

Submitted to His Highness.

I beg to submit, for the gracious orders of His Highness, the Final Note by the First Member of Council regarding the resignation of Mr. K.T.Shah, Professor of Commerce.

2. In view of the fact that the conduct of Mr. Shah has not been quite straightforward in offering to suddenly terminate his engagement with Government, it is suggested that his resignation should not be accepted but that he should be dismissed from Government Service, should he cease to attend to his duties from the 1st August 1920 as he has threatened to do.

3. The main terms under which Mr. Shah has been employed, which are contained in his two letters enclosed in the file, clearly indicate that he agreed to serve as a Professor in the University and give no support to any claim that he should be regarded as an independent head of a separate Department which he has been urging since March last.

4. In view of the fact that his conduct has not been thoroughly straightforward, I beg to recommend that his resignation should be refused and that he should be dealt with strictly under the Departmental Rules, should he refrain from attending to his duties from the 1st August 1920.

284 pf
1920

c. 764 · (14

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Resignation of Mr. K.T. Shah, Professor of Commerce, Maharaja's College, Mysore.

Order.

no 15

~~KRM~~
31/7/20

Seen C.S.
Secy

1-8-20

789-102
5-8-20.

Seen
Secy
6.8.20

7/8

C.B 276/19 — 15

26) Draft subd.
DJ.
4/8

27) Secy/B & A:

Recd
2/8:

28) 1st Number Ltr
3.8.

B
2/8/

29) Issue GO
A
3/8/20

30) Typed in enrolled Members for perusal
B
5/8/20

Sl. 12. Letter No. 195 dated 4-8-20 to ~~the Secretary~~
31) the Registrar, Mysore University.
States that the resignation of Mr. Shah cannot be accepted, dwells on the circumstances relating to his appointments and requests that Mr. Shah may be informed that in case he ceases to attend his duties he will dealt with strictly under the Departmental rules.

32) Letter No. 54/P dated 5/8/20. To the Regr. M.U. Requests the Regr. to Communicate the G.O issued, to Mr. Shah

33) From the Regr. M.U. (Personal)
Informs of Mr. Shah's applg. of 4 days' Casual leave after which Mr. Shah would apply for long leave.

CB 154. (16

G. R. S. III-2]

General and Revenue Secretariat.

C.B. File No. 276 of 1919.

Serial No.	
13.	34) Letter No. 1907 dated 11th August 1920 from the Registrar, Mysore University forwards for orders of Govt. copies of d.o. letters dated 3rd August 1920 from Mr. Shah to the Registrar and the Principal, Maharaja's College, applying for long leave without allowances
	35) Submd for orders. Tay 12/8
	36) First Member's The draft is/s/c had explained. No leave can be granted Ref. to the rules. Refer the matter to the Govt. of India and ascertain whether casual leave the Govt. should be reported etc. Ref 12/8. GJ 13.8.
	37) Draft sent Tay 13/8 Draft Ref 13/8.
	38) Issued Ref 13/8.

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Gms 16/8/20

CB File No. 276 of 1919.

Serial No.	
14	39) Letter No. 238 dated 13th August 1920 to the Registrar, Mysore University States that Government are not prepared to grant leave without allowances to Mr. Shah, invites attention to this office letters [illegible] of the 4th [illegible] 5th aug. 1920 and requests that if Mr Shah does not return after casual leave, the fact should be reported at once for information of Govt.
15.	40) Letter No. 2111 dated 18-8-20 from the Registrar, Mysore University. States that Mr. Shah should have been back to duty on the 9th inst. but that he has not returned to duty.
	41) Submd for orders.
	Tay 42) 19/8 Apprised by Mr Shah desires to throw open, in the event of being dismissed him when he required by leave on account of his health. The leave may be granted to him if he produces a certificate from Board, as required by the Home Service Regns.
	43) Please 20 to be apld for leave [illegible] his application. 20/8 Simply a device to [illegible] Consequences [illegible]

NOTE—Contn. sheet.

CB 252 (18)

G. R. S. III-2

General and Revenue Secretariat. | CB File No. 276 of 1919.

Serial No.	
16	44) Letter No. 284 dated 25-8-20 to the Registrar, Mysore University states that the leave asked for by Mr. Shah cannot be granted as the application for leave was subd after his resignation and was meant as a device to avoid consequences but adds that if he withdraws his letter of resignation and produce a medical certificate in support of his present application, the same will be considered.
17	45) Letter No. 2766 dated 4th Sept 1920 from the Regr., Mysore University with reference to sl 16, forwards copy of letter dated 1st Sept 20, from Mr. Shah.
	46) Subd for orders Tay 7/9/20
	47) There are 2 courses open either to send the papers dismissing him after a brief explanation of the facts in dispute the matter. Though

NOTE—Contn. sheet.

G. R. S. III-2

General and Revenue Secretariat. | CB File No. 276 of 1919.

Serial No.

The Shah has by his conduct justified dismissal he may still pose as a martyr & there may be a feeling in the service when they do not know all the facts that we want to muzzle. in dependence of financial action. The matter may if deemed necessary be considered in Council.

48) Sir Charles Clerk

Mr Evans that applied for leave preparatory to the march they were told [illegible] There no objection but Shah service & Shah war. may be told this has already been approved by HH Such precautions & double dealing cannot be tolerated by any Govt

7.9

49) Draft Sd. 7/9

7/9

3rd Secretary

Minister

NOTE—Contn. sheet.

G. R. S. III-2

General and Revenue Secretariat. | CB File No. 276 of 1919.

Serial No.

50) I would not like sentence marked in pencil as it ~~may cause~~ might cause prejudice against Shankar. Casts a reflection upon Mukherjee's character. If suspended if he is suspended last his services have been dispensed with.

9/9

51) No Shankar thought he cannot vary anything upon his original & then apply for leave pending his claim unless justify the suspension

Shankar

9/9

~~Withdrawal reg accepted~~

1803 B
11.9.20

52) The draft as amended is approved & may issue. I do not see why Shankar should be suspended, but why he necessarily would be prejudiced if he is dismissed from service suspended.

12/9

53) Denied.

Herewith draft by Emc

15.9.20

14/9

54) Issue

17/9

NOTE—Contn. sheet.

(21

G. R. S. III-2

General and Revenue Secretariat.

CB File No. 276 of 1919.

Serial No.	
18	53) G.O. No. 419-20 dated 17-9-20 to the Registrar, Mysore University and the Comptroller to Govt. directs that Mr. Shah's services be dispensed with from the date on which he ceased to work in the College.

NOTE—Contn. sheet.

(22

2/P

C.B. (a) Kharek Bazaar, BOMBAY 3.

June 27th. 1920.

To

P. G. D'Souza, Esqr.B.A.,B.L., Education Secretary,
Government of H.H. The Maharajah of Mysore,
BANGALORE.

Sir, I have the honour to request you to place before the Government my resignation of the post of Professor of Commerce in the Maharajah's College, as I find I cannot satisfactorily carry on my work in the Commerce Department of the University under the policy governing that Department. I need hardly add that as the question I had raised has been before the Government since the middle of March last, and as the final decision of the Government was not officially communicated to me till yesterday, inspite of my frequent requests for a greater dispatch, I feel no compunction in submitting my resignation at this moment. My resignation is unconditional and final, and I shall be glad to be relieved at earliest convenient date.

I have the honour to be
Sir,
Your most obdt. servant,
Khurshed J. Shah

DEWAN'S OFFICE
Recd. on JUN 28 1920
Reg. No. 8498

(23

CB 276-19-2 C15. 1338

W.T.A.Y 15

POSTS & TELEGRAPHS.

NOTICE.
This form must accompany any inquiry made respecting this Telegram.

Charges to pay. Rs. A.

SUPERINTENDENT TELEGRAPHS 28 JUN 20

Handed in at (Office of Origin) Bombay | Date 28 8 20 | Hour. | Minute. | Service Instructions. 9. 2 | Words 4

TO Banerji Esqr
first Councillor
Recd. here at Bangalore H. M.

Sorry am obliges to resign
I see you wednesday
= Shafi =

N.B.—The name of the Sender, if telegraphed, is written after the text.

Lal Chand & Sons—24/6—6-9-15—2,50,000 Bks. (Edn. IV)

POSTS & TELEGRAPHS.

NOTICE.
This form must accompany any inquiry made respecting this Telegram.

Charges to pay. Rs. A.

DEWAN'S OFFICE JUN 20

Handed in at (Office of Origin) Bombay | Date 28 | Hour. 6 | Minute. 20 | Service Instructions. 9 1/2 Reply

TO Education Secy
Recd. here at Bangalore H. M.

Impossible Govt Bangalore
final orders dont satisfy
principle involved have consequently
forwarded resignation uncon-
ditional and final shall gladly
be relieved earliest stopping bangalore
wednesday to see Sir Banerjee
if possible = Shah =

N.B.—The name of the Sender, if telegraphed, is written after the text.

Lal Chand & Sons—24/6—6-9-15—2,50,000 Bks. (Edn. III)

(44

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section CB
File No. 276/19
Serial No. 3

GENERAL AND REVENUE SECRETARIAT
( )
the *191*

Confidential

No., 12/Encl

Date of issue.....5th July 1920.....

Signed by..Lt. P. G. D'Souza.....

To

The Regr
Mysore University.

Sir

I am directed to forward herewith copy of a letter of the 27th June 1920 from Mr K. T. Shah Professor of Commerce Maharaja's College Mysore Offering his resignation

over.

15)

and to request you
to inform that Officer
that Govt can take
no action on the
Communication and
that it may be
sent up through the
usual official channel
with the opinion
of the University Council.
I am also to state that
that Govt are not
prepared to accept
his resignation and
to relieve him from his Substantive Appointment
in the 4th year.

List of enclosures.

I have &c
Sd/ [illegible]
Secy to Govt
2/7/19

Copied by

Examined by

WD 1744—GPB—80,000—19-3-19

CB 276-9-43

D 80 (26

Edn 27-20-1

No. 135

Office of the Mysore University,

Dated Mysore, ...2ND.... JULY *1920*

3 JUL 1920

From

V. SUBRAHMANYA IYER, Esq., B.A.,
Offg. Registrar, Mysore University,
Mysore.

To

P.G.D'Souza, Esq., B.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore, Departments of Education and Agriculture, Bangalore.

Sir,,

F

With reference to your letter No.11773/Edn.433-19 dated 16th June 1920 communicating the orders of Government in the matter of the representation from Mr. K.T. Shah, Professor of Commerce, Maharaja's College, Mysore, I am directed to forward herewith for the information of the Government copy of a telegram dated the 28th June 1920 from Mr. Shah ~~expressing~~ tendering his resignation of the post of Professor of Commerce in the University.

I am to add that a further report will be submitted to Government after Mr. Shah's resignation in writing confirming the telegram and stating his reasons therefor is received.

I have the honour to be,
Sir,
Your most obedient servant,

V.S.M.

Offg: Registrar.

(27)

Copy of Telegram from Mr. Shah dated the 28th inst., sent from Bombay.

R e g i s t r a r,
Mysore University,
M y s o r e.

Explanation about houses and other matter unsatisfactory. Consequently have forwarded resignation. Arriving Thursday morning. Relinquishing office. Please treat urgent.

S H A H.

'Copy'

V.S.M.

Offg: Registrar.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Section ~~Edn~~ CB
File No. 276-19 ~~27-20~~
Serial No. 2 87

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT
( )
the *191* .

Date of issue 9.7.20.

Signed by.. W. H. R.

No. 228.

To The Regr, Muzaffarnagar,

Sir, With reference to your letter no 135 dt 2.7.20 forwarding a copy of a telegram from Mr Shah, Profr of Commerce, tendering his resignation ~~of~~ the post of Profr of Commerce in the Univ, I am directed to invite reference to letter no 12 C.B. 276-19-2 dt 5.7.1920 requesting you to send up the case with the opinion of the ~~opinion~~ of the R.C. ~~and stating that the case shall may be submitted that his resignation cannot be accepted~~ inform Mr Shah that his resignation cannot be accepted

Mr Shah

over.

I have etc

Regr

8/7

Secretary

Cs 276-9-6.

CONFIDENTIAL.

D 422 (29)

No. 674 one.

Office of the Mysore University,

Dated Mysore, ...JULY.....14,..... *1920.*

FROM

V. SUBRAHMANYA IYER, ESQ., B.A.,
Offg. Registrar, Mysore University,
Mysore.

To

P.G. D'SOUZA, ESQ., B.A., B.L.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Departments of Education & Agriculture,
B A N G A L O R E.

Sir,

With reference to your letter No. 228/Edn.27-20-2 dated the 9th instant regarding Mr. Shah's resignation of professorship of Commerce, I am directed to forward herewith a copy of letter dated the 8th instant from Mr. Shah praying for ~~his~~ relief from his duties as soon as possible, not later than the 1st of August, and to state that the matter will be placed before the University Council this week and the result reported to Government soon thereafter.

I have the honour to be,

Sir,

Your most obedient servant,

V. Subrahmanya Iyer

YVN

OFFG. REGISTRAR.

(30

Letter dated 8th July 1920 from Mr. K.T. Shah, B.A., B.Sc., Bar-at-Law, Professor of Commerce, Maharaja's College, Mysore, to the Registrar, Mysore University, Mysore.

With reference to your confidential No. 348 of even date, enclosing a copy of No. 12/27679-2 dated the 5th July 1920, from the Secretary to Government in the Department of Education and Agriculture, I have the honour to say that I am surprised at the nature of the reply Government gives to my resignation. The clear issue is: that, after a long correspondence, I, being convinced that Government were resolved not to concede the principle involved submitted my resignation unconditionally. Instead of giving a definite reply, I find Government have adopted an evasive attitude which, if persisted in, will only result in more embarasment and unpleasantness.

If I am interpreting the words of the reply correctly, - "That Government are not prepared to accept his resignation and to relieve him from his engagement to serve for seven years." - it would seem as if the Government were labouring under a false impression. Assuming there is an engagement of the kind referred to, the nature of the engagement obviously does not lend itself to continueing the work under <u>any</u> conditions Government choose to impose. I am, therefore, at a loss to realise what exact significance to attach to such expressions.

When first I joined Mysore service I desired, again and again, to obtain a clear agreement specifying all terms. Had there been such a contract, the usual precaution would have been adopted - as a matter of course - to provide against all such contingencies definite remedies. But the Secretary to the Government informed me "It is not usual to have any formal agreement" as he did "not think there was any need for me to be anxious about small details as I was dealing with a <u>responsible Government</u> and not a private party". (Letter dated camp, Mysore, 21st October 1917 No. 1). In the absence of a clear agreement, and in the absence of any definite rule in the Mysore Government Service rules providing for such an emergency, the only course open to me, as a gentleman, was to resign after reasonable

31).

reasonable notice. Since March, 16, 1920, I have been expressing my firm resolve not to continue in service under the present agreement. If I had submitted my resignation as from the 1st of July, Government would still have had more than a clear three months' notice. All through the vacation, in spite of repeated requests for an immediate reply, Government delayed; and I did not get final orders till the 26th of June. I forwarded my resignation the next day to the Registrar, and confirmed it by wire on Monday, the 28th June. I desired in every one of my communication offering my resignation, the earliest relief, not later than the first of August. This is a clear notice of more than a month excluding the vacation. Under the circumstances, I fail to understand why the Government should not give me a straight answer and accept my resignation at once.

When I came down to Mysore on the re-opening of the college on the 1st of July, I had naturally assumed that my resignation being final and unconditional, will be accepted, and that I shall be relieved as soon as possible not later than the end of this month. I have, accordingly, left my family in Bombay, and am now staying in Mysore under every conceivable hardship. On the same basis I have made arrangements to return to Bombay by the beginning of the next month, which, if prevented, would cause the most serious consequences. The extent, ~~however~~ more, to which the situation has since developed renders it exceedingly difficult to discharge my regular college duties with enthusiasm and earnestness. Hence I reiterate my prayer that in the interests of <u>all</u> concerned I be relieved <u>as soon as possible</u> not later than the 1st of August, 1920. I sincerely hope the Government will not drive me to adopt more drastic steps to obtain my rights.

C o p y.

YVN.

OFFG. REGISTRAR.

21/P. CB 276-9-7 (32

IMMEDIATE.

Maharaja's College, Mysore, 15th July, 192

To

P.G.D'Souza Esq., B.A., B.L., Secretary to Government,
Education and Agriculture, BANGALORE.

Sir,

I have the honour to inform you that, though it is a week since last I wrote asking for relief, I regret to find that Government propose to take no action to afford me relief before the 1 st. of August, 1920.

In the Registrar's letter, dated the 8th Inst., forwarding for my information a copy of your letter, dated the 5th Inst., I find that my resignation has been referred to the University Council for opinion. To me this appears to be the merest pretext for delay. When I was first appointed to this post, my entire correspondance was with the Government direct. At no stage in the negotiations with me was the University Council even formally mentioned; and I did not receive my order of appointment from that body. Even now, though the correspondance making my resignation inevitable was commenced by me with a communication addressed to the Vice Chancellor, the more important portion of the later correspondance was in answer to the communications from th the Government addressed to me without the interposition of the authority of the University Council. Presumably, that body is not in possession of the whole correspondance; nor could it be aware of the subsequent events which render any reconsideration of my resignation unthinkable. Under these conditions, I submit, the University Council cannot be in a position to come to any useful decision, even if it were binding on the Government. I fear, therefore, that the reference to the University Council, at this late hour, and after what has happened, is mere dilatoriness.

As already intimated, I am too much troubled in mind and body to be able to discharge my regular duties to my own satisfaction. I have since heard that my family in Bombay is not keeping well. I cannot go on leave to see them as I am not sure if the Government, in their present attitude, would not avail themselves of the slightest technicality to misconstrue my absence, and act upon it

to my prejudice, apart altogether from the fact that a request for leave need not necessarily be granted.

In view of all these I again repeat my request for relief on or before the 1 st. of August,1920. I cannot hang on here indefinitely and suffer myself to be thus victimised. Should the Government take no steps,in spite of these repeated requests,to afford me relief within the time mentioned,I shall be compelled, most reluctantly,to cease my duties from the 31st. of July,1920.

I have the honour to remain,

Sir,

Your most obedient Servant,

~~N.B. A copy of the above has beeb~~

Khushal J. Shah

N.B. A copy of the above has been forwarded to Mr. V.Subramanya Iyer,Offg.Registrar,University of Mysore, Mysore for information.

KJS

C.S. 276-19-8

V6 P.

(34

No. 898 / Exe one.
36-19

Office of the Mysore University,

Dated Mysore, July 18, 1920.

FROM

V. SUBRAHMANYA IYER, ESQ., B.A.,
Offg. Registrar, Mysore University,
Mysore.

To

P.G. D'SOUZA, ESQ., B.A., B.L.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Departments of Education & Agriculture,
B A N G A L O R E.

Sir,

Adverting to your letter No. 228/Edn. 27-20-3 dated the 9th instant calling for the opinion of the University Council respecting the resignation tendered by Mr. K.T. Shah, Professor of Commerce, Maharaja's College, I am directed to state that the subject was considered by the University Council at their meeting held yesterday and it was resolved that " as matters stand the Government have no alternative but to accept Mr. Shah's resignation".

I am to forward herewith a copy of extract from the proceedings of the meeting of the University Council, for such orders as the Government may deem fit to pass.

I have the honour to be,
Sir,
Your most obedient servant,

V. Subrahmanya Iyer

OFFG. REGISTRAR.

YVN.

54

(35

Extract from the Proceedings of the University Council Meeting held on the 17th July 1920.

---

x x x x x x x

XIV. Letter dated the 27th June 1920 from Mr. K.T.Shah, B.A., B.Sc., Bar-at-Law., Professor of Commerce, tendering resignation of his Professorship in the University.

RESOLVED that in the opinion of the University Council that as matters stand Government have no alternative but to accept Mr. Shah's resignation.

x x x x x x x x

Offg: Registrar.

V.S.M.

(36

CB

G.R.S. 26]

File No. 276/19

Serial No. 9

Diary No. of letter replied to

No. 156

General and Revenue Secretariat

(Edn)

, *the* 19 .

To

K. T. Shah Esqr.

Professor of Comce

Mysore.

Date of issue 23rd July 1920.

Signed by Dr. P. H. D'Souza

Sir,

With refce to your D.O. letter of 15/7/20, stating that you will cease to work in the College by the end of this month - if orders are not passed regarding your resignation by that time, I am desired to inform you that your will not be

Govt do not consider that you are entitled

over.

SUBJECT.

37) to any [illegible] may seek when and that
in order if you adopt
any such course it will be at your risk
2. The question of your as to the manner in which
resignation is under the first should deal with
Consideration of Govt & your case is under
Orders will issue as early consideration to
as possible — in the event the Viceroy.
I have
Yours ep

Secy to Govt

Copy of the Govt Report Union of
to the enclosures

No. 157 CS dt 23/7/26

List of enclosures,

Copied by

Examined by

GPB—10,000—28-2-11.

CB 276-9-10.

138

Maharaja's College, Mysore, 25th July, 1920

To

P.G.D'Souza Esq. B.A., B.L. Secretary to the Government of

H.H. the Maharaja of Mysore, Education and Agriculture Deptts.

BANGALORE.

Sir,

With reference to your letter No. 153/CB dated the 23rd. July, 1920, I have the honour to state that I cannot agree with the view of my position implied in the words: "That Government do not consider that you are ~~entit~~ entitled to give any such notice and that if you adopt any such course, you would do so at your risk". I cannot find any rule in the Mysore Government Service ~~Regul~~ Regul-ations which prevents ~~him~~ an officer from sending in his resignation. Nor can I conceive of any arrangement involving personal service, however rigorously drafted against the employé, in which the employe would be prevented from sending in his resignation, when it has become impossible for him to ~~perfo~~ perform his duties with credit, after the stipulated or a reasonable notice. I repeat, therefore, that I do not see the force or bearing of the Government observation in this matter.

In my particular case, may I draw your attention to the fact, more than once mentioned before, that Government have, by their own act, prevented a distinct contract from being made, though I for my part more than ~~one~~ once asked for it?. There is, therefore, no rule to guide me in the situation that has developed ~~short of~~ except common sense. I have intimated my resolution to leave service, under certain eventualities, as early as the middle of March last, thereby giving the Government more than three months to make up their mind in the matter. When at last I found that it was impossible for me to remain in service consistent with self-respect, I sent in my resignation, even then giving a notice of more than one clear month, to enable the Government to make consequential arrangements. In spite of this considerateness on my part, Government cause needless delay by ~~referr~~ referring the matter to the Council of the University, and inform me that they were not going to take "any action", nor accept my resignation and relieve me from my engagement (?). Under the circumstances I was forced much against my will and nature, and in sheer self-defence, to intimate to Government that I would stop work in the event of no orders being received before the 31st. July, 1920, as there was no alternative for me.

~~I,therefore,see no reason to alter my decision as intimated to in my letter of the 15th Inst~~. ~~And~~ May 9 I repeat that,if not relieved in the regular way before the date mentioned,I shall find it impossible,~~to~~ in view of my present anxieties about the health of my wife and child in Bombay and my own agitation brought about by such developments, to discharge my duties in the college.~~after the date I have mentioned~~ I need not repeat that my enforced stay in Mysore would involve other serious consequences,besides the anxieties and agitation referred to.Please to note,therefore,all this.

I have the honour to remain,

Sir,

Your most Obedient Servant,

Khushal J. Shah

(46

CB 276-9-11

22

POSTS TELEGRAPHS.

NOTICE.

This form must accompany any inquiry made respecting this Telegram.

Charges to pay

Rs. | As.

Office Stamp

Handed in at (Office of Origin) | Date | Hour. | Minute. | Service Instructions | Words

11 | 19 | 8 | 40 | | 2

10 Rp Express Secretary 9 12

To Government Education

Bangalore

Influenza renewed health undermined. owing mental worry Domestic anxieties will govenment please direct immediate

N.B.—The name of the Sender, if telegraphed, is written after the text.

[illegible] Chand & Sons—3342—13-10-19—2,90,000 Bks (Edn. 1)

relief preventing complete breakdown

Shah

Copy of telegram
sent to Mr K. T. Shah
Prof. of Commerce -
Maharajas College
Mysore.

Your telegram
regarding relief.
Govt orders shd
be awaited -

D'Souza

D/30/7

No 64

G.R.S. 26]

File No. 276

Serial No. 12

Diary No. of letter replied to ____

No. 195

General and Revenue Secretariat

( )

, *the* 190 .

To

The Registrar

Mysore University

Mysore

Date of issue 4/5/20

Signed by Mr P. G. D'Souza.

Sir

With reference to correspondence ending with your letter No. 858 of 16.7.20 regarding the resignation of Mr K. T. Shah Professor of Commercial Economics in this College I am directed to inform you that Govt do not consider that the conduct of Mr Shah is thoroughly straightforward in

over.

SUBJECT.

(43)

Yesterday I suddenly terminated
his engagement with Galt
for the reason given by
him. They therefore regret
that his resignation cannot
be accepted

On his representation
regarding the existence
certain inconveniences in
the present arrangements
for properly developing
the Commerce Course, Galt
in their letter of the 15th
June 1920 have after careful
consideration allowed him sufficient
freedom and scope for his work
consistent with the existing
constitution of the College and the
courses. In his letter of the
2nd Oct (917) he has himself
stated that as regards classes I
should have thought it could
not have been considered an
unreasonable demand that
I should be given the preference
for the Principalship of the
Commercial College if and

List of enclosures.

Copied by

Examined by

MGCPB—30,000—16-2-05

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

when established. However even
here I am willing to conclude
the point by saying that any
proved merit should obtain
[illegible] sentence with the best
for which your Govt does
not wish to be tried down
in advance at this moment"
His contention therefore that
he is forced to resign the
appointment as a matter
of principle as he has not
been given the independent
status of a Principal is
not borne out by the
specific understanding under
which his appointment was
made nor can I not allow
any of its Officers to dictate
to them in questions of policy
and refuse to resign to
escape from the application
of the ordinary disciplinary
rules by offering to resign.

In short may therefore
be informed that in case
he ceases to attend to
his duties as he has
threatened to do he will

MGCPB—30,000—5-1 05.

(45)

be dealt with shortly
under the draft rules

I have to

Yrs.

Secy S M

7/8/21.

4
3.8

(46

G. R. S. 26]

File No.

Serial No.

Diary No. of letter replied to

No. 52/P.

General and Revenue Secretariat

( )

, *the* 191 .

To

The Registrar

Mysore Univ

Date of issue 5/8/20

Signed by W. D'Souza

Sir,

I am directed to request that the Govt order which has issued in respect of Mr. Shah's application to resign — may be kindly communicated to him at Bombay — to which place he is reported to have left on leave —

I have the

over. I am, Sir,

Your obedient servant,

for Secretary.

SUBJECT.

(47

Personal

Dear Sir,

Mr Shah has applied for four days' Casual leave and for 8 days from Bombay. He will express by today's mail. He intends applying for long leave, after the expiry of the casual leave. I have submitted his leave application &c.

Yours sincerely
V. Subramaniam

Subd for perusal

Mr. Shah seems to have found out that his brother about to resign to find no effect & wants to circumvent that news

4/8

1st letter He was to check Send Check Withhold Communicate to him to Bombay

4/8

5-8

Please see the Mg's Co

Sir

5/V

Draft Submd

8/

5/8

M 154
~~D 1252~~ ~~C.B.~~
C.B. 276-19-13

No. 1907 Exc Two. 12/8

Office of the Mysore University,
Dated Mysore, 11th August 1920.

48

Edn Secy
12 AUG 1920
4361

Immediate.
Please submit to-day
with references.
12/8.

FROM

V. SUBRAHMANYA IYER, Esq., B.A.,
Offg. Registrar, Mysore University,
Mysore.

To

P.G.D'SOUZA, Esq., B.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore, Departments of
Education and Agriculture, Bangalore.

Sir,

Adverting to your letter No.54/P. dated the 5th August 1920 in respect of Mr. K.T.Shah, I am directed to forward herewith copies of D.O. letter dated the 3rd August 1920 from Mr. Shah to the Registrar and to the Principal, Maharaja's College, Mysore, applying for long leave without allowances for the kind orders of Government.

I have the honour to be,

Sir,

Your most obedient servant,

Offg: Registrar.

V.S.M.

(49

D.O. letter dated 3rd August 1920 from Mr. K.T. Shah, B.A., B.Sc., Bar-at-Law, Professor of Commerce, Maharaja's College, Mysore, to the Registrar, Mysore University, Mysore.

Owing to the continued reports of ill-health of my youngest child, and also the indifferent state of my health after the last attack of Influenza, I feel quite run down. I have been examined by Dr. Narayan Rao of the Krishna Raj Hospital, Mysore, who declares that my health would be quite upset if no rest is taken. I am therefore obliged to beg for long leave without allowances for the period of absence. Pending the Government Orders, I am taking casual leave and proceeding to Bombay.

C o p y.

YVN

Offg. Registrar.

150

D.O. letter dated the 3rd August 1920 from Prof. K.T. Shah to the Principal, Maharaja's College, Mysore.

I shall not be able to take my classes from to-morrow, as I am feeling considerably run down myself, and as I am anxious to go and see my family owing to illness there. I am asking for long leave, but meanwhile please consider this as casual leave.

Copy.

Offg. Registrar.

YVN

IV: 238

CB 276-19-14.

(51)

Dated 13th August 1920. To

The Registrar,

Mysore University.

Sir,

With reference to your letter No. 1907 dated the 11th August 1920, forwarding for orders ~~xx~~ copies of demi-official letters dated 3rd August 1920 from Mr. K. T. Shah applying for long leave without allowances, I am directed to state that Government are not prepared to grant any such leave to Mr. Shah.

Signed by Mr. T. G. Rama Iyer, dt 18/8/20.

I am to invite your attention in this connection to this Office letters Nos. 195/C. B. 276-19-12 and 54/P. dated the 4th and 5th August 1920 respectively passing orders on the resignation of Mr. Shah and to request that if Mr. Shah does not return after -- casual leave, the fact should be reported at once for the information of Government.

I have etc.,

13/8.

Secretary to Government,

E. & A.

5317

C B 177

C.B. 276-19-15T

No. 2111

Office of the Mysore University,

Dated Mysore, August 18 *19* 20

19 AUG 1920

FROM

V. SUBRAHMANYA IYER, ESQ., B.A.,
Offg. Registrar, Mysore University,
Mysore

To

P.G. D'Souza, Esq., B.A., B.L.,
Secretary to the Government of
His Highness the Mahnraja of Mysore,
Departments of Education & Agriculture,
Bangalore.

Sir,

With reference to para 2 of your letter No. 238/C.B. 276-19-14 dated 13th August 1920 regarding the grant of leave to Mr. K.T. Shah Professor of Commerce, Maharaja's College, I am directed to state that the Principal writes that Mr. Shah had four days of casual leave to his credit when he left this on the 3rd afternoon and that he should have been back to duty on the 9th instant if the long leave has not been sanctioned.

Mr. Shah has not returned to duty.

I am to state in this connection that a copy of your letter No. 195/C.B. 276-19-12 dated 4th August 1920 has been sent to Mr. Shah.

I have the honour to be,

Sir,

Your most obedient servant,

V. Subrahmanyaiyer

Offg. Registrar.

YVN

(53

To

The Registrar, Mysore

284
CB 276-19-16. By 25.8.1920. mi.

Sir,

With reference to your letter No. 2111 dated 18.8.20 stating that Mr. Shah has not returned to duty after the expiry of his casual leave, I am directed to state that, ~~his~~ as observed in this office letter No. 238 dated 13th August 1920, the leave without allowances asked for by Mr Shah cannot be granted as his application for leave was submitted after his resignation and was meant ~~to be~~ ~~otherwise~~ ~~merely~~ simply as a device ~~for~~ to avoid consequences.

I have etc

for Secretary
23/8/20

If he withdraws his letter of resignation he should submit a medical certificate in support of his present illness and leave will be favourably considered

M
18

(54 CB 252
276-19-17

No. 2766

Office of the Mysore University,

Dated Mysore, ...September.....4,... *19* 20

7 SEP 1920

FROM

V. SUBRAHMANYA IYER, Esq., B.A.,
Offg. Registrar, Mysore University,
Mysore.

To

P.G. D'Souza, Esq., B.A., B.L.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Departments of Education & Agriculture,
BANGALORE.

Sir,-

With reference to your letter No. 284/C.B. 276-19-16 dated the 25th August 1920 stating that Mr. Shah's application for leave without allowances will be favourably considered provided he withdraws his letter of resignation unconditionally and produces a medical certificate in support of his application, I am directed to forward herewith a copy of Mr. Shah's letter dated 1st September 1920 in the matter.

I have the honour to be,
Sir,
Your most obedient servant,

V. Subrahmanya Iyer

Offg. Registrar.

YVN.

(55

Letter dated the 1st September 1920 from Mr. K.T.Shah, Jadavji Devakaran's House, Kharek Bazaar, Bombay, to the Registrar, Mysore University, Mysore.

With reference to your Memo dated the 28th August, (No.2477) forwarding for my information copy of letter No.284/C.B.276-19-16 from the Secretary to the Government, Departments of Education and Agriculture (Dated the 25th inst.,) I have the honour to state as under:-

2. In view of the attitude of the Government and their treatment of my case, I regret I cannot fall in with their suggestion and withdraw my resignation.

3. As to the production of a medical certificate in support of my application for leave with without allowances, I consider such a course entirely unnecessary at this stage. I should like it to be noted that I have not asked for sick leave, but only leave without allowances; and that the plea of sickness urged in my application was only one of the reasons mentioned in my application as necessitating my absence. Besides, as the application for leave states, I had been examined by Dr. Narayana Rao of the Krishnaraj Hospital, Mysore, immediately before my departure; and he assured me that my health would break down still further if I took no rest. Under the circumstances I do not see why I should now be called upon to produce a medical certificate.

4. In conclusion, may I point out, most respectfully, that Government ought not to go beyond the letter of my application and try to discover motives. I do not admit that I asked for leave "to avoid consequences". But even had it been so, is not the reply obvious that such a course was forced on me by the entirely unjustifiable attitude of the Government, ever

56)

ever since my resignation was placed before them. I have never alleged or imputed uncharitable motives to Government or their officers in mentioning the facts that a formal agreement of service was negatived in my case only in spite of my own demand for it, or that lavish promises had been made to me by those who spoke or seemed to speak on behalf of the Government, which dwindled to the most insignificant proportions when the moment for their fulfilment came round; nor is it my intention to do so unless forced by the misrepresentation of my position. But when the Government condescend to adopt such means it cannot but invite comparisons.

I repeat, therefore, my request that my resignation be forthwith, accepted, and that I be relieved of my post.

'Copy'

V.S.M.

Offg: Registrar.

(G.R.S. VI-71]

:SUBJECT.....

.....

.....

Issued

Diary No. of letter replied to..... Confdl.

Section CB
File No. 276/19
Serial No. 18

General and Revenue Secretariat

(.)

Proceedings of the Government of His Highness the Maharaja of Mysore.

, *the* *191* .

Date of issue 17th Sept. 1920

Signed by Mr. P. C. D'Souza

Read—

Correspondence ending with letter No.2766 dated 4th Sep. 1920 from the Registrar, Mysore University, forwarding a copy of a letter from Mr.K.T. Shah stating that he is not prepared to withdraw his application for resigning his post in Mysore.

Order No. 419-20
CB 276-19-18
Dated, 17th Sept. 1920

The reasons for which Mr.Shah's resignation cannot be accepted have already been communicated in this office letter No.195/C.B.276-19-12 dated the 4th Aug. 1920 and his application for leave when he found out that his resignation would not be accepted cannot be regarded as straightforward. He has also not availed himself of the opportunity given to him to withdraw his application for resigna-

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

resignation and apply for such leave as may be recommended by a Medical Officer if he is really unwell as alleged by him.

2. Govt. therefore regret that his resignation cannot be accepted and direct that his services be dispensed with from the date on which he ceased to work in the College.

Secretary to Government,
Edn. and Agri.

9/5/L

To

The Registrar, Mysore University.

The Comptroller to Government.

List of enclosures.

Copied by

Examined by

WD 1744—GPB -39,000—17-3 19